

RESOLUTION AND VOTE OF THE BOSTON REDEVELOPMENT AUTHORITY

RE: A CERTAIN TRIPARTITE AGREEMENT CONCERNING
A PROPOSED DEVELOPMENT SOMETIMES KNOWN AS
LAFAYETTE PLACE

WHEREAS, the City of Boston (the "City") acting through its Mayor and its Real Property Board and Lafayette Place Associates (the "Developer") propose to enter into a Tripartite Agreement with the Boston Redevelopment Authority (the "Authority") concerning the proposed public and private redevelopment project in Boston called Lafayette Place (the "Project");

WHEREAS, the Authority on April 17, 1975 and the Boston City Council on June 23, 1975 have previously adopted certain resolutions with respect to a public and private redevelopment proposal in Boston similar to and within the same general location as the Project;

WHEREAS, the Authority has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the Project;

WHEREAS, the Urban Renewal Plan for the Bedford-West Urban Renewal Area, Project No. Mass R-82L, has been duly reviewed and approved in full compliance with federal, state and local law;

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin;

WHEREAS, Lafayette Place Associates and the City have expressed an interest in and have submitted a satisfactory proposal for the development of the Bedford-West Urban Renewal Area, which is part of the land area to be used in the implementation of the Project;

WHEREAS, the proposed Tripartite Agreement provides for the design and construction within the area bounded generally by Avon Street, Chauncy Street, Exeter Place, Harrison Avenue Extension, Hayward Place and Washington Street:

(a) of public improvements by the City, including parking spaces for about 1,500 automobiles, at least 900 of which spaces will be located within a new, subterranean public parking garage, and

(b) of private improvements by the Developer in air-rights above, within and contiguous to said new parking garage, consisting of an integrated retail, commercial, office and hotel complex;

* WHEREAS, the City and the Authority propose also to enter into a Sale and Construction Agreement with Alstora Realty Corporation, Al-Jordan Realty Corp. and Jordan Marsh Company (Boston)

in implementation of the Project.

WHEREAS, the Authority finds that the Project will reverse the economic decline of the downtown retail area of the City, facilitate efficient land use within the area, improve traffic flow, and expand the real property tax base of the area; and

WHEREAS, the Authority finds that the public improvements described in the proposed Tripartite Agreement, including said new public parking garage, and the private improvements described therein will serve a public purpose, and that certain aspects of such private improvements require integration with the public improvements in order to bring the public benefits under Chapter 474 of the Acts of 1946 of the General Laws, as amended, to full fruition;

NOW THEREFORE BE IT RESOLVED AND VOTED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Director be, and is hereby, authorized and empowered to execute said Tripartite Agreement concerning the Project by and among Lafayette Place Associates, the Boston Redevelopment Authority and the City of Boston, in substantially the form submitted to the Authority, but with such amendments ~~thereto~~ *to either* as the Director may determine to be necessary or desirable to achieve realization of the Project;

2. That the Director be, and hereby is, authorized and empowered to execute such other and further documents as may be necessary to effect and implement the terms and provisions of said Tripartite Agreement; *and said Sale and Construction Agreement;*

3. That the execution and delivery by the Director of any document purporting to be executed and delivered pursuant to the foregoing resolutions shall be conclusively treated as authorized by the foregoing resolutions;

4. That Lafayette Place Associates and the City of Boston acting by and through its Real Property Board are tentatively designated redevelopers of the Bedford-West Urban Renewal Area, each to the extent of its privileges and obligations with respect thereto as set forth in said Tripartite Agreement, subject to:

(a) Concurrence in the proposed disposal transaction by the Department of Housing and Urban Development, if required by law;

(b) Publication of all public disclosure and issuance of all approvals required by the Massachusetts General Laws and Title I of the Housing Act of 1949, as amended.

5. That disposal of so-called Parcel C in the Bedford-West Urban Renewal Project Area by negotiation is the appropriate method of making the land available for redevelopment.

** and to execute said Sale and Construction Agreement and concerning the Project by and among the Boston Redevelopment Authority, the City of Boston, Alston Realty Corporation, Al-Toran Realty Corp. and Jordan Marsh Company (Boston)*

6. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).

7. That the Authority hereby determines that the land and any other property to be acquired for the Project in accordance with said Tripartite Agreement shall to the extent required to effectuate ~~their~~ objectives be devoted to the purposes of Chapter 474 of the Acts of 1945, as amended. and said Sale and Construction Agreement

8. That the Authority hereby determines that the Project ~~is~~ ^{will} achieve the planning objectives set forth in the said Urban Renewal Plan and that the uses of the Project are consistent with the ^{uses} permitted ~~uses~~ under said Urban Renewal Plan.

includes
these uses
located
within said
Urban
Renewal
Area,

July 20, 1978

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT F. WALSH, DIRECTOR

SUBJECT: BEDFORD-WEST URBAN RENEWAL AREA PROJECT NO.
MASS. R-82L - LAFAYETTE PLACE
DEVELOPMENT AGREEMENT AND TENTATIVE DESIGNATION
OF REDEVELOPER

On April 17, 1975, the Authority authorized the execution of a tripartite agreement by and among the City of Boston, the Authority and Sefrius Corporation, which agreement contemplated the development of a retail/hotel project on land to be assembled next to the existing Jordan Marsh facility. This project is known as the Lafayette Place Project.

Since approval of the project, the Jordan Marsh facility has been remodeled at an approximate capital cost of Thirty-Five Million (\$35,000,000.00) Dollars. The developer has been preparing for the continuation of the private development by expanding the development team with the addition of Mondex International, Inc., a development entity based in Montreal with considerable experience in complicated public/private cooperative development efforts.

The developer has proposed to the Authority and the City that the original development proposal be modified so as to unite, to the greatest extent feasible, the public and private efforts so as to enhance the financial viability and expedite the commencement of construction of the Lafayette Place Project. Extensive review of the nature of the proposed modification has been conducted by the staffs of the Authority, the Mayor and the Real Property Board, and it is the consensus that the modifications proposed are reasonable and necessary and will, in fact, result in an additional substantial infusion of private capital which will permit the continued restoration of the prime retail area of the downtown.

The revised development program provides for the Real Property Board to construct a subterranean municipal garage for 900-1,500 cars in the Lafayette Place site instead of an elevated structure which was to be located behind the site on Chauncy Street. The relocation of this facility enhances the design of the overall project and reduces overall acquisition and relocation costs. Other public improvements to be provided by the City consist generally of the construction of New Essex Street from the Southeast Expressway to Washington Street, a public plaza and pedestrian way improvements along Washington and Chauncy Streets and around and over the proposed plaza and a kiosk on Summer Street providing improved access to the MBTA.

The anticipated costs of all public improvements is expected to be approximately Twenty-nine Million (\$29,000,000.00) Dollars and the developer's anticipated costs for the initial private phase is approximately Forty Million (\$40,000,000.00) Dollars.

The initial phase of private development consists of the construction over, around and in the garage structure of a five hundred (500) room hotel and three hundred thousand (300,000) square feet of retail space. In addition, a cooperative effort with Allied Stores will result in the construction of a mall through the Jordan Marsh facility on the ground level from Lafayette Place to Summer Street. It is expected that the catalytic effect of the entire program will result in substantial private development on other sites in the area for retail, commercial, office and residential projects.

The proposed program is consistent with the requirements of the Bedford-West Urban Renewal Plan and its implementation requires the continuance of the cooperative efforts which have been made thus far by several and varied public and private entities. The program and outline drawings have been reviewed by and approved by the urban design staff. Further design review will be conducted during the process of G.L., c. 121A, as it is expected that the developer will seek the benefits of this statute.

The development team is now comprised of the City acting by and through the Real Property Board and Lafayette Place Associates, a general partnership consisting of Selfrius Associates and Mondév Associates, both Massachusetts limited partnerships. The architect for the City is Desmond and Lord, Inc., and the architect for Lafayette Place Associates is Mitchell/Giurgula, Inc. It is proposed that the Authority convey the Bedford-West site to the City, which will acquire by purchase or eminent domain other land necessary to construct the project. The City will, in turn, lease or sell air-rights to the developer. The Authority will retain approval rights with respect to the design of the project and the adequacy of the developers' financial submissions.

It is considered that the public/private development teams have the expertise, experience and financial resources to successfully complete the project.

It is, therefore, recommended that the Authority expedite the realization of this unique and important project by tentatively designating the Real Property Board and Lafayette Place Associates as Redeveloper of the single parcel in the Bedford-West Urban Renewal Project Area and authorizing the Director to execute the proposed tripartite agreement.

An appropriate Resolution and Vote is attached.

Attachments.